



# *The Journal* OF THE *House of Representatives*

Number 25

Wednesday, April 7, 2010

The House was called to order by the Speaker at 1:00 p.m.

## Prayer

The following prayer was offered by the Reverend Brooks Braswell of First Baptist Church of Umatilla, upon invitation of Rep. Hays:

Dear Heavenly Father, we just come before You today thanking You and praising You for who You are. And God, I just come before You today thanking You for this great nation. We pray right now for the men and women who are fighting for our freedom, so that we could even be here having this session today, so that we could even be in this great state and in this wonderful nation. We pray for their protection. We pray that You'll bring them back to us safely.

Lord, I pray for the elected officials that are here today as they work about the business of this state. I pray that You'll give them wisdom and guidance as they seek answers from You. And Lord, I just thank You so much for all the things that You're doing in our lives. I pray, Lord, that as we continue to move forward with this great nation that we live in, that we'll continue to seek Your will for our lives as we make the decisions to help the people here. Lord, as we just had the opportunity to celebrate the resurrection this past Sunday that came about because of Your death, Lord, I pray that even though we're going through tough times here in the United States of America, that You will resurrect this nation, and that we will turn to You for strength and comfort and wisdom. Be with this group today. Bless their time together. And Lord, allow us to honor You, and we pray all of this in Jesus' name. Amen.

The following members were recorded present:

Session Vote Sequence: 700

Speaker Cretul in the Chair.

Abruzzo	Carroll	Fresen	Hukill
Adams	Chestnut	Galvano	Jenne
Adkins	Clarke-Reed	Garcia	Jones
Ambler	Coley	Gibbons	Kelly
Anderson	Cretul	Gibson	Kiar
Aubuchon	Crisafulli	Glorioso	Kreegel
Bembry	Cruz	Gonzalez	Kriseman
Bernard	Culp	Grady	Legg
Bogdanoff	Domino	Grimsley	Llorente
Bovo	Dorworth	Hasner	Long
Boyd	Drake	Hays	Lopez-Cantera
Brandenburg	Eisnagle	Heller	Mayfield
Brisé	Evers	Holder	McBurney
Bullard	Fetterman	Homan	McKeel
Burgin	Fitzgerald	Hooper	Murzin
Bush	Flores	Horner	Nehr
Cannon	Ford	Hudson	Nelson

O'Toole	Reagan	Saunders	Tobia
Pafford	Reed	Schenck	Troutman
Patronis	Rehwinkel	Schultz	Van Zant
Patterson	Renuart	Schwartz	Waldman
Plakon	Rivera	Skidmore	Weatherford
Poppell	Robaina	Snyder	Weinstein
Porth	Roberson, K.	Soto	Williams, A.
Precourt	Roberson, Y.	Stargel	Williams, T.
Proctor	Rogers	Steinberg	Wood
Rader	Rouson	Taylor	Workman
Randolph	Sachs	Thompson, N.	Zapata
Ray	Sands	Thurston	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Zachary Ahlheim of Jacksonville at the invitation of Rep. Ray; Jonah Aycock of Auburndale at the invitation of Rep. Rivera; Allison Britton of Cape Coral at the invitation of Rep. Workman; Shaniece Cooper of Miami at the invitation of Rep. Bullard; Stephanie Detert of Venice at the invitation of Rep. Holder; Hamilton Eng of Jacksonville at the invitation of Rep. Ray; Samuel Hazen of Jacksonville at the invitation of the Speaker pro tempore; Nicholas Hodges of Gainesville at the invitation of Rep. Adkins; and Chad Holmes of Palm Beach Gardens at the invitation of Rep. Domino.

## Correction of the *Journal*

The *Journal* of April 6 was corrected and approved as corrected.

## Reports of Standing Councils and Committees

### Reports of the Rules & Calendar Council

*The Honorable Larry Cretul*  
*Speaker, House of Representatives*

April 5, 2010

*Dear Mr. Speaker:*

Your Rules & Calendar Council herewith submits the Special Order for Wednesday, April 07, 2010. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/HB 7189 - Education Policy Council, PreK-12 Policy Committee,  
& others  
Education Personnel

CS/CS/SB 6 - Policy and Steering Committee on Ways and Means, Education Pre-K - 12, & others  
Education Personnel [SPSC]

HJR 7039 - Education Policy Council, Weatherford, & others  
Revision of the Class Size Requirements for Public Schools

SJR 2 - Gaetz, Thrasher, & others  
Class Size Requirements for Public Schools [WPSC]

CS/CS/HB 7053 - Education Policy Council, Full Appropriations Council on Education & Economic Development, & others  
Education Accountability

CS/CS/SB 4 - Policy and Steering Committee on Ways and Means, Education Pre-K - 12, & others  
Education Accountability [SPSC]

CS/HB 1009 - Finance & Tax Council, Weatherford, & others  
Florida Tax Credit Scholarship Program

CS/SB 2126 - Finance and Tax, Negron, & others  
Florida Tax Credit Scholarship Program [WPSC]

HB 245 - Bernard, Plakon, & others  
Community Colleges

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*Bill Galvano*, Chair  
Rules & Calendar Council

On motion by Rep. Galvano, the above report was adopted.

## Special Orders

**HJR 7039** was taken up. On motion by Rep. Weatherford, the House agreed to substitute SJR 2 for HJR 7039 and read SJR 2 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**SJR 2**—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution to revise class size requirements for public schools and to provide an effective date.

—was read the second time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 701].

Representative Heller offered the following:

(Amendment Bar Code: 272755)

**Amendment 1 (with ballot amendment)**—Remove lines 33-38 and insert:

(1) The maximum number of students who are assigned per class to each teacher who is teaching in public school classrooms for prekindergarten through grade 3 does not exceed 18 students;

### BALLOT AMENDMENT

Remove lines 106-107 and insert:  
individual classroom as follows: for grades 4 through 8, 27 students and

Rep. Heller moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 702

Speaker Cretul in the Chair.

Yeas—42

Abruzzo	Cruz	Kriseman	Saunders
Bembry	Fetterman	Long	Schwartz
Bernard	Fitzgerald	Pafford	Skidmore
Boyd	Garcia	Porth	Soto
Brandenburg	Gibbons	Rader	Steinberg
Braynon	Gibson	Randolph	Taylor
Brisé	Heller	Reed	Thurston
Bullard	Homan	Rehwinkel Vasilinda	Waldman
Bush	Jenne	Roberson, K.	Williams, A.
Chestnut	Jones	Rogers	
Clarke-Reed	Kiar	Sachs	

Nays—68

Adams	Evers	Legg	Reagan
Adkins	Flores	Llorente	Renuart
Ambler	Ford	Lopez-Cantera	Rivera
Anderson	Fresen	Mayfield	Robaina
Aubuchon	Galvano	McBurney	Schenck
Bogdanoff	Glorioso	McKeel	Schultz
Bovo	Gonzalez	Murzin	Snyder
Burgin	Grady	Nehr	Stargel
Cannon	Hasner	Nelson	Thompson, N.
Carroll	Hays	O'Toole	Tobia
Coley	Holder	Patronis	Troutman
Cretul	Hooper	Patterson	Van Zant
Crisafulli	Horner	Plakon	Weatherford
Culp	Hudson	Poppell	Weinstein
Domino	Hukill	Precourt	Williams, T.
Drake	Kelly	Proctor	Wood
Eisnagle	Kreegel	Ray	Workman

Votes after roll call:

Yeas—Sands, Thompson, G.

Nays—Dorworth, Zapata

Yeas to Nays—Roberson, K.

Representative Kiar offered the following:

(Amendment Bar Code: 279007)

**Amendment 2 (with ballot amendment)**—Remove line 61 and insert: requirements of this subsection. The state shall calculate the operations and construction savings for each school district created by moving to the schoolwide average and allocate those funds to the school districts on a pro rata basis.

### BALLOT AMENDMENT

Remove line 111 and insert:

average number of students required by this amendment, requires the state to calculate the operations and construction savings for each school district created by moving to the schoolwide average and allocate those funds to the school districts on a pro rata basis, and

Rep. Kiar moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 703].

The question recurred on the adoption of **Amendment 2**, which failed of adoption. The vote was:

Session Vote Sequence: 704

Speaker Cretul in the Chair.

Yeas—39

Abruzzo	Cruz	Kriseman	Saunders
Bernard	Fetterman	Long	Schwartz
Boyd	Fitzgerald	Pafford	Skidmore
Brandenburg	Garcia	Porth	Soto
Braynon	Gibbons	Rader	Steinberg
Brisé	Gibson	Randolph	Taylor
Bullard	Heller	Reed	Thurston
Bush	Jenne	Rehwinkel Vasilinda	Waldman
Chestnut	Jones	Rogers	Williams, A.
Clarke-Reed	Kiar	Sachs	

Nays—69

Adams	Flores	Llorente	Robaina
Adkins	Ford	Lopez-Cantera	Roberson, K.
Ambler	Fresen	Mayfield	Schenck
Anderson	Galvano	McBurney	Schultz
Aubuchon	Glorioso	McKeel	Snyder
Bembry	Gonzalez	Murzin	Stargel
Bogdanoff	Grady	Nehr	Thompson, N.
Bovo	Hasner	Nelson	Tobia
Cannon	Hays	O'Toole	Troutman
Carroll	Holder	Patronis	Van Zant
Coley	Homan	Patterson	Weatherford
Cretul	Hooper	Plakon	Weinstein
Crisafulli	Horner	Poppell	Williams, T.
Culp	Hudson	Precourt	Wood
Domino	Hukill	Proctor	Workman
Drake	Kelly	Reagan	
Eisnaugle	Kreegel	Renuart	
Evers	Legg	Rivera	

Votes after roll call:

Yeas—Sands, Thompson, G.

Nays—Dorworth, Ray, Zapata

Under Rule 10.10(b), the joint resolution was referred to the Engrossing Clerk.

**CS/CS/HB 7053** was taken up. On motion by Rep. Legg, the House agreed to substitute CS for CS for SB 4 for CS/CS/HB 7053 and read CS for CS for SB 4 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for CS for SB 4**—A bill to be entitled An act relating to education accountability; amending s. 1003.413, F.S., relating to secondary school redesign, to delete obsolete provisions and to conform to changes made by the act; amending s. 1003.4156, F.S.; revising requirements for middle grades promotion; providing that successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon a student's performance on the end-of-course assessment; requiring a student to pass the end-of-course assessment to earn high school credit for such courses; specifying information that must be provided to students as part of the personalized academic and career plan; amending s. 1003.428, F.S.; revising requirements for high school graduation; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; providing for waiver of end-of-course assessment results for the purpose of determining a course grade and credit for students with disabilities; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation options; updating cross-references; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; creating s. 1003.4295, F.S.; requiring high schools to advise students of, and offer, acceleration courses; creating the Credit Acceleration

Program; amending s. 1003.493, F.S., relating to career and professional academies, to conform to changes made by the act; amending s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student achievement testing program; requiring end-of-course assessments in mathematics and science to replace FCAT Mathematics and FCAT Science beginning with students entering grade 9 in specified school years; providing requirements for the administration of, and student performance on, statewide, standardized end-of-course assessments in mathematics and science; providing for establishment of an implementation schedule to develop and administer end-of-course assessments in certain courses; requiring evaluation and reporting of the transition to specified end-of-course assessments; requiring the use of scaled scores and student achievement levels for describing student success on assessments; requiring the State Board of Education to designate passing scores for end-of-course assessments and scores that indicate high achievement; providing requirements for retaking specified assessments; providing for waiver of end-of-course assessment requirements for students in exceptional education programs and students who have limited English proficiency; revising provisions relating to testing and reporting schedules; requiring that the Commissioner of Education consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments; conforming provisions and cross-references; authorizing the State Board of Education to adopt concordant scores for the FCAT and equivalent scores for end-of-course assessments; deleting retake requirements for use of concordant scores; providing requirements for use of equivalent scores; amending s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act; amending s. 1008.30, F.S., relating to the common placement test, to conform to changes made by the act; amending s. 1008.34, F.S.; revising provisions that specify the basis for determining school grades to include student performance on end-of-course assessments and to conform provisions to current FCAT assessments; amending s. 1008.341, F.S.; revising provisions that specify the basis for determining an alternative school's school improvement rating to include student performance on end-of-course assessments; amending s. 1008.36, F.S.; revising provisions relating to the use of school recognition awards; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study on the different types of high school diplomas offered in other states; requiring that the study be submitted to the Governor and the Legislature by a specified date; providing an effective date.

—was read the second time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 494087)

**Amendment 1 (with title amendment)**—Remove line 657 and insert: provided in paragraph (9)(c). Beginning with the 2011-2012 school year, the administration of grade 10 FCAT Reading shall be replaced by the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the ACT's PLAN Assessment Test. FCAT Comprehensive assessments of

#### TITLE AMENDMENT

Remove line 45 and insert:

entering grade 9 in specified school years; replacing grade 10 FCAT Reading with specified assessments; providing

Rep. Bullard moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 705].

The question recurred on the adoption of **Amendment 1**, which failed of adoption. The vote was:

Session Vote Sequence: 706

Speaker Cretul in the Chair.

Yeas—41

Abruzzo	Cruz	Long	Schwartz
Bembry	Fetterman	Pafford	Skidmore
Bernard	Fitzgerald	Porth	Soto
Boyd	Garcia	Rader	Steinberg
Brandenburg	Gibbons	Randolph	Taylor
Braynon	Gibson	Reed	Thurston
Brisé	Heller	Rehwinkel Vasilinda	Waldman
Bullard	Jenne	Roberson, Y.	Williams, A.
Bush	Jones	Rogers	
Chestnut	Kiar	Sachs	
Clarke-Reed	Kriseman	Saunders	

Nays—68

Adams	Evers	Kelly	Reagan
Adkins	Flores	Legg	Renuart
Ambler	Ford	Llorente	Rivera
Anderson	Fresen	Lopez-Cantera	Robaina
Bogdanoff	Galvano	Mayfield	Roberson, K.
Bovo	Glorioso	McBurney	Schenck
Burgin	Gonzalez	McKeel	Schultz
Cannon	Grady	Murzin	Snyder
Carroll	Grimsley	Nehr	Stargel
Coley	Hasner	Nelson	Thompson, N.
Cretul	Hays	O'Toole	Tobia
Crisafulli	Holder	Patronis	Troutman
Culp	Homan	Patterson	Van Zant
Domino	Hooper	Plakon	Weatherford
Dorworth	Horner	Precourt	Weinstein
Drake	Hudson	Proctor	Wood
Eisnaugle	Hukill	Ray	Workman

Votes after roll call:

Yeas—Sands, Thompson, G.

Nays—Aubuchon, Kreegel, Poppell, Zapata

Representative Bullard offered the following:

(Amendment Bar Code: 062895)

**Amendment 2**—Remove lines 684-709 and insert:

Beginning with the 2010-2011 school year, all students enrolled in geometry or an equivalent course must take the geometry end-of-course assessment. Beginning with students entering grade 9 during the 2010-2011 school year, each student's performance on the end-of-course assessment in geometry shall constitute 30 percent of the student's final course grade.

(II) A statewide, standardized end-of-course assessment in Biology I shall be administered according to this sub-subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I or an equivalent course must take the Biology I end-of-course assessment. Beginning with students entering grade 9 during the 2011-2012 school year, each student's performance on the end-of-course assessment in Biology I shall constitute 30 percent of the student's final course grade.

Rep. Bullard moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 707

Speaker Cretul in the Chair.

Yeas—41

Abruzzo	Braynon	Clarke-Reed	Gibbons
Bembry	Brisé	Cruz	Gibson
Bernard	Bullard	Fetterman	Heller
Boyd	Bush	Fitzgerald	Jenne
Brandenburg	Chestnut	Garcia	Jones

Kiar	Randolph	Saunders	Thurston
Kriseman	Reed	Schwartz	Waldman
Long	Rehwinkel Vasilinda	Skidmore	Williams, A.
Pafford	Roberson, Y.	Soto	
Porth	Rogers	Steinberg	
Rader	Sachs	Taylor	

Nays—70

Adams	Flores	Llorente	Robaina
Adkins	Ford	Lopez-Cantera	Roberson, K.
Ambler	Fresen	Mayfield	Schenck
Anderson	Galvano	McBurney	Schultz
Bogdanoff	Glorioso	McKeel	Snyder
Bovo	Gonzalez	Murzin	Stargel
Burgin	Grady	Nehr	Thompson, N.
Cannon	Hasner	Nelson	Tobia
Carroll	Hays	O'Toole	Troutman
Coley	Holder	Patronis	Van Zant
Cretul	Homan	Patterson	Weatherford
Crisafulli	Hooper	Plakon	Weinstein
Culp	Horner	Poppell	Williams, T.
Domino	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	
Evers	Legg	Renuart	

Votes after roll call:

Yeas—Sands, Thompson, G.

Nays—Aubuchon

THE SPEAKER PRO TEMPORE IN THE CHAIR

Representative Bullard offered the following:

(Amendment Bar Code: 445691)

**Amendment 3 (with title amendment)**—Remove lines 757-761 and insert:

4.a.2. The testing program shall be composed of criterion-referenced tests that shall, to the extent determined by the commissioner, include test items that require the student to produce information or perform tasks in such a way that the core content knowledge and skills he or she uses can be measured.

b. The State Board of Education shall by July 1, 2011, develop diagnostic tests and may develop rules to implement a program to identify students in the 5th grade who are at risk of not meeting the high school graduation standards and provide them remediation and intervention services as soon as possible to help them graduate with a standard high school diploma.

#### TITLE AMENDMENT

Between lines 52 and 53, insert:  
requiring the State Board of Education to develop diagnostic tests and develop rules for certain purposes;

Rep. Bullard moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 708

Representative Reagan in the Chair.

Yeas—41

Abruzzo	Chestnut	Jenne	Reed
Bembry	Clarke-Reed	Jones	Rehwinkel Vasilinda
Bernard	Cruz	Kiar	Roberson, Y.
Boyd	Fetterman	Kriseman	Rogers
Brandenburg	Fitzgerald	Long	Sachs
Braynon	Garcia	Pafford	Saunders
Brisé	Gibbons	Porth	Schwartz
Bullard	Gibson	Rader	Skidmore
Bush	Heller	Randolph	Soto

Steinberg  
Taylor

Thurston  
Waldman

Williams, A.

Nays—71

Adams	Flores	Llorente	Rivera
Adkins	Ford	Lopez-Cantera	Robaina
Ambler	Fresen	Mayfield	Roberson, K.
Anderson	Galvano	McBurney	Schenck
Bogdanoff	Glorioso	McKeel	Schultz
Bovo	Gonzalez	Murzin	Snyder
Burgin	Grady	Nehr	Stargel
Cannon	Hasner	Nelson	Thompson, N.
Carroll	Hays	O'Toole	Tobia
Coley	Holder	Patronis	Troutman
Cretul	Homan	Patterson	Van Zant
Crisafulli	Hooper	Plakon	Weatherford
Culp	Horner	Poppell	Weinstein
Domino	Hudson	Precourt	Williams, T.
Dorworth	Hukill	Proctor	Wood
Drake	Kelly	Ray	Workman
Eisnaugle	Kreegel	Reagan	Zapata
Evers	Legg	Renuart	

Votes after roll call:

Yeas—Sands, Thompson, G.  
Nays—Aubuchon

Representative Williams, A. offered the following:

(Amendment Bar Code: 751847)

**Amendment 4 (with title amendment)**—Between lines 984 and 985, insert:

(d) The Office of Program Policy Analysis and Government Accountability or its successor shall complete a study by July 1, 2011, to explore the feasibility of establishing separate graduation standards for students who are bound for college after high school and for students who are bound for careers after high school.

#### TITLE AMENDMENT

Remove line 70 and insert:

scores for end-of-course assessments; requiring the Office of Program Policy Analysis and Government Accountability or its successor to complete a feasibility study by a specified date; deleting retake

Rep. A. Williams moved the adoption of the amendment. Subsequently, **Amendment 4** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 1009** was taken up. On motion by Rep. Weatherford, the House agreed to substitute CS for SB 2126 for CS/HB 1009 and read CS for SB 2126 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for SB 2126**—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; transferring, renumbering, and amending s. 220.187, F.S.; revising definitions; making operation of the program contingent upon available funds; revising certain eligibility criteria; revising tax credit grant provisions; specifying a tax credit cap; providing for increasing the tax credit cap under certain circumstances; providing application procedures and requirements; providing for unused amounts of tax credits to be carried forward; providing application requirements; providing limitations on conveying, assigning, or transferring tax credits; revising provisions governing the rescission of taxpayer tax credits; deleting a prohibition against claiming certain multiple tax credits; specifying additional obligations for eligible nonprofit scholarship-funding organizations relating to development and review of certain accounting procedures and guidelines; providing reporting requirements; limiting private school participation eligibility to certain grades; requiring private schools to

annually contract with accountants to perform certain procedures; providing reporting and procedural requirements; revising certain obligations of the Department of Education; specifying additional requirements for certain independent research organizations; providing responsibilities of the Department of Education; deleting certain requirements for independent research organizations; authorizing the Commissioner of Education to deny, suspend, or revoke private school program participation under certain circumstances; providing requirements and criteria; revising limitations on annual amounts of scholarships provided; deleting certain corporate tax credit carryforward authority; revising certain rulemaking authority; providing for severability and for preserving certain additional tax credits; creating s. 211.0251, F.S.; providing for a credit against the oil and gas production tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; creating s. 212.1831, F.S.; providing for a credit against sales and use tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending s. 213.053, F.S.; expanding the authority of the Department of Revenue to disclose certain information; amending s. 220.13, F.S.; revising the determination of additions to adjusted federal income; providing intent; providing for construction of certain provisions; providing for retroactive application; creating s. 220.1875, F.S.; providing for a credit against the corporate income tax for certain program contributions; providing limitations; providing for adjustments; providing for application; creating s. 561.1211, F.S.; providing for a credit against certain alcoholic beverage taxes for certain contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending ss. 220.02, 220.186, 624.51055, 1001.10, 1002.20, 1002.23, 1002.39, 1002.421, 1006.061, 1012.315, and 1012.796, F.S.; conforming cross-references to changes made by the act; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to implement the act; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 245**—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming specified community colleges; amending s. 288.8175, F.S.; conforming provisions; providing an effective date.

—was read the second time by title.

Representative Bernard offered the following:

(Amendment Bar Code: 085005)

**Amendment 1 (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (5) of section 288.8175, Florida Statutes, is amended to read:

288.8175 Linkage institutes between postsecondary institutions in this state and foreign countries.—

(5) The institutes are:

(d) Florida-Canada Institute (University of Central Florida and Palm Beach ~~State Community~~ College).

Section 2. Paragraphs (c), (l), (r), and (y) of subsection (3) of section 1000.21, Florida Statutes, are amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) "Florida college" or "community college," except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(c) ~~College of Central Florida Community College~~, which serves Citrus, Levy, and Marion Counties.

(l) ~~Florida Gateway Lake City Community~~ College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.

(r) Palm Beach ~~State Community~~ College, which serves Palm Beach County.

(y) Seminole ~~State College of Florida Community College~~, which serves Seminole County.

Section 3. This act shall take effect upon becoming a law.

#### TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to community colleges amending s. 288.8175, F.S., relating to educational institutes; conforming provisions; amending s. 1000.21, F.S.; renaming Central Florida Community College as "College of Central Florida," renaming Lake City Community College as "Florida Gateway College," renaming Palm Beach Community College as "Palm Beach State College," and renaming Seminole Community College as "Seminole State College of Florida"; providing an effective date.

Rep. Bernard moved the adoption of the amendment, which was adopted. The vote was:

Session Vote Sequence: 709

Representative Reagan in the Chair.

Yeas—105

Abruzzo	Fetterman	Llorente	Sachs
Adams	Fitzgerald	Long	Saunders
Adkins	Flores	Lopez-Cantera	Schenck
Ambler	Ford	Mayfield	Schultz
Anderson	Fresen	McBurney	Schwartz
Bembry	Garcia	McKeel	Skidmore
Bernard	Gibbons	Nehr	Snyder
Bovo	Gibson	Nelson	Soto
Boyd	Glorioso	O'Toole	Stargel
Brandenburg	Gonzalez	Pafford	Steinberg
Braynon	Grady	Patronis	Taylor
Brisé	Hasner	Patterson	Thompson, N.
Bullard	Hays	Plakon	Thurston
Burgin	Heller	Poppell	Tobia
Bush	Holder	Porth	Troutman
Cannon	Homan	Precourt	Van Zant
Carroll	Hooper	Proctor	Waldman
Chestnut	Horner	Rader	Weatherford
Clarke-Reed	Hudson	Randolph	Weinstein
Coley	Hukill	Ray	Williams, A.
Crisafulli	Jenne	Reagan	Williams, T.
Cruz	Jones	Reed	Wood
Culp	Kelly	Rehwinkel Vasilinda	Workman
Dorworth	Kiar	Renuart	Zapata
Drake	Kreegel	Roberson, K.	
Eisnaugle	Kriseman	Roberson, Y.	
Evers	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Aubuchon, Cretul, Murzin, Robaina, Sands, Thompson, G.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 7189** was taken up.

THE SPEAKER IN THE CHAIR

On motion by Rep. Legg, the House agreed to substitute CS for CS for SB 6 for CS/HB 7189 and read CS for CS for SB 6 the second time by title. Under Rule 5.13, the House bill was laid on the table.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 710].

**CS for CS for SB 6**—A bill to be entitled An act relating to education personnel; amending s. 39.202, F.S.; authorizing the release of child abuse records to certain employees and agents of the Department of Education; amending s. 447.403, F.S.; deleting a provision that provides for an expedited impasse hearing for disputes involving the Merit Award Program plan to conform to changes made by the act; amending s. 1002.33, F.S.; requiring a charter school to adopt a salary schedule for instructional personnel and school-based administrators which meets certain requirements; providing that charter schools must meet certain requirements for end-of-course assessments, performance appraisals, and certain contracts; deleting a cross-reference to conform to changes made by the act; requiring that the Commissioner of Education review certain charter schools for compliance with the requirements for a salary schedule, assessments, and contracts; requiring a specified funding adjustment to be imposed against a charter school that is not in compliance; amending s. 1003.52, F.S.; deleting a cross-reference to conform to changes made by the act; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; repealing s. 1003.63, relating to the deregulated public schools pilot program; amending s. 1004.04, F.S.; revising the criteria for continued approval of teacher preparation programs to include student learning gains; deleting the waiver of admissions criteria for certain students; deleting the criterion relating to employer satisfaction; revising the requirements for a teacher preparation program to provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires state-approved teacher preparation programs and public and private institutions offering training for school-readiness-related professions to report graduate satisfaction ratings; revising the requirements for preservice field experience programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; amending s. 1004.85, F.S.; revising the requirements for individuals who participate in programs at postsecondary educator preparation institutes; revising the requirements for approved alternative certification programs and instructors; creating s. 1008.222, F.S.; requiring school districts to develop and implement end-of-course assessments; requiring a review of assessments by the Commissioner of Education; amending s. 1009.40, F.S.; deleting cross-references to conform to changes made by the act; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.94, F.S.; deleting cross-references to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; creating the Performance Fund for Instructional Personnel and School-Based Administrators; providing for calculation of the fund amount; providing for distribution of funds to districts and specifying purposes for which funds may be expended; providing for reversion of unexpended funds; specifying that salary increases from these funds are in addition to other salary adjustments; specifying requirements for individuals paid from federal grants; requiring that each district school board submit its district adopted salary schedule and certain assessments to the Commissioner of Education for review; requiring that the commissioner determine compliance with requirements applicable to the schedules and assessments; requiring a review by the Auditor General of certain classroom teacher contracts; requiring that the Commissioner of Education notify the Governor and Legislature of school districts that fail to comply with salary schedule, assessment, and contract requirements; requiring a specified funding adjustment to be imposed against a school district for such failure to comply; requiring that the State Board of Education adopt rules; amending s. 1011.69, F.S.; deleting a provision that exempts academic performance-based charter school districts from the Equity in School-Level Funding Act to conform to changes made by the act; amending s. 1012.05, F.S.; revising the Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; deleting cross-references to conform to changes made by the act; amending s. 1012.22, F.S.; revising the powers and duties of the district

school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the end-of-course examinations for the Merit Award Program; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain educational personnel; requiring a district school board's decision to retain personnel who have continuing contracts or professional service contracts to be primarily based on the employee's performance; deleting requirements that school board decisions for workforce reductions be based on collective bargaining agreements; deleting requirements for district school board rules for workforce reduction; creating s. 1012.335, F.S.; providing definitions; providing employment criteria for newly hired classroom teachers; providing grounds for termination; requiring that the State Board of Education adopt rules defining the term "just cause"; providing guidelines for such term; amending s. 1012.34, F.S.; revising provisions related to the appraisal of instructional personnel and school-based administrators; requiring that the Department of Education approve school district appraisal instruments; requiring the Department of Education to collect appraisal information from school districts and to report such information to the Governor and the Legislature; providing requirements for appraisal systems; authorizing an employee to request that a district school superintendent review an unsatisfactory performance appraisal; conforming provisions to changes made by the act; amending s. 1012.42, F.S.; prohibiting a district school board from assigning a new teacher to teach reading, science, or mathematics if he or she is not certified in those subject areas; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.56, F.S.; revising the certification requirements for persons holding a valid professional standard teaching certificate issued by another state; providing additional means of demonstrating mastery of professional preparation and education competence; requiring that the State Board of Education review the current subject area examinations and increase the scores necessary for achieving certification; authorizing the State Board of Education to adopt rules to allow certain college credit to be used to meet certification requirements; amending s. 1012.585, F.S.; providing for future expiration of provisions governing certification of teachers who hold national certification; revising the renewal requirements for a professional certificate; providing additional requirements that must be met in order to renew the certificate; requiring that the State Board of Education adopt rules for the renewal of a certificate held by a certificateholder who has not been evaluated under s. 1012.34, F.S.; amending s. 1012.72, F.S.; limiting bonuses under the Dale Hickam Excellent Teaching Program to individuals who remain continuously employed in a public school in this state or the Florida School for the Deaf and the Blind; amending s. 1012.79, F.S.; revising the composition of the Education Practices Commission; conforming provisions to changes made by the act; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education submit a report on the cost-effectiveness of teacher preparation programs to the Governor and the Legislature by a specified date; specifying the report requirements; requiring that the Office of Program Policy Analysis and Government Accountability submit recommendations to the Legislature relating to changes in the criteria for the continued approval of teacher preparation programs; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for severability; providing for application of a specified provision of the act; providing effective dates.

—was read the second time by title.

REPRESENTATIVE ADAMS IN THE CHAIR

THE SPEAKER IN THE CHAIR

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 711].

Rep. Robaina moved that a late-filed amendment be allowed for consideration, which was not agreed to by the required two-thirds vote.

Representative Jones offered the following:

(Amendment Bar Code: 084415)

**Amendment 1**—Remove line 251 and insert:  
use length of service or degrees held by instructional

Rep. Jones moved the adoption of the amendment, subsequently the amendment was temporarily postponed.

Reps. Robaina and Homan offered the following:

(Amendment Bar Code: 904383)

**Amendment 2**—Remove lines 771-773 and insert:  
performance of their students has violated s. 1012.22(1)(c). A school

Rep. Robaina moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 712].

The question recurred on the adoption of **Amendment 2**, which failed of adoption. The vote was:

Session Vote Sequence: 713

Speaker Cretul in the Chair.

Yeas—49

Abruzzo	Evers	Pafford	Saunders
Bembry	Fetterman	Planas	Schwartz
Bernard	Fitzgerald	Porth	Skidmore
Boyd	Garcia	Rader	Soto
Brandenburg	Gibbons	Randolph	Steinberg
Braynon	Gibson	Reed	Taylor
Brisé	Heller	Rehwinkel Vasilinda	Thurston
Bullard	Homan	Robaina	Waldman
Bush	Jenne	Roberson, Y.	Weinstein
Chestnut	Jones	Rogers	Williams, A.
Clarke-Reed	Kiar	Rouson	
Cruz	Kriseman	Sachs	
Culp	Long	Sands	

Nays—67

Adams	Flores	Legg	Reagan
Adkins	Ford	Llorente	Renuart
Ambler	Fresen	Lopez-Cantera	Rivera
Anderson	Galvano	Mayfield	Roberson, K.
Aubuchon	Glorioso	McBurney	Schenck
Bogdanoff	Gonzalez	McKeel	Schultz
Bovo	Grady	Murzin	Snyder
Burgin	Grimsley	Nehr	Stargel
Cannon	Hasner	Nelson	Thompson, N.
Carroll	Hays	O'Toole	Tobia
Coley	Holder	Patronis	Troutman
Cretul	Hooper	Patterson	Van Zant
Crisafulli	Horner	Plakon	Weatherford
Domino	Hudson	Poppell	Williams, T.
Dorworth	Hukill	Precourt	Wood
Drake	Kelly	Proctor	Workman
Eisnaugle	Kreegel	Ray	

Votes after roll call:

Yeas to Nays—Evers

Representative Robaina offered the following:

(Amendment Bar Code: 903395)

**Amendment 3 (with title amendment)**—Remove line 897 and insert:  
(5)(a). Notwithstanding any other law, rules adopted under this subsection shall not take effect until approved by the Legislature.

Remove line 1402 and insert:  
performance. Notwithstanding any other law, rules adopted under this subsection shall not take effect until approved by the Legislature.

Remove line 1637 and insert:  
subsection (5). Notwithstanding any other law, rules adopted under this subsection shall not take effect until approved by the Legislature.

#### TITLE AMENDMENT

Remove line 89 and insert:  
rules; requiring legislative approval of rules; amending s. 1011.69, F.S.; deleting a provision

Remove line 134 and insert:  
provisions to changes made by the act; requiring legislative approval of rules; amending s.

Remove line 159 and insert:  
under s. 1012.34, F.S.; requiring legislative approval of rules; amending s. 1012.72, F.S.;

Rep. Robaina moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 714].

The question recurred on the adoption of **Amendment 3**, which failed of adoption. The vote was:

Session Vote Sequence: 715

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Fetterman	Pafford	Sands
Bembry	Fitzgerald	Planas	Saunders
Bernard	Garcia	Porth	Schwartz
Boyd	Gibbons	Rader	Skidmore
Brandenburg	Gibson	Randolph	Soto
Braynon	Heller	Reed	Steinberg
Brisé	Homan	Rehwinkel Vasilinda	Taylor
Bullard	Jenne	Robaina	Thurston
Bush	Jones	Roberson, Y.	Waldman
Chestnut	Kiar	Rogers	Williams, A.
Clarke-Reed	Kriseman	Rouson	
Cruz	Long	Sachs	

Nays—70

Adams	Domino	Hays	Murzín
Adkins	Dorworth	Holder	Nehr
Ambler	Drake	Hooper	Nelson
Anderson	Eisnaugle	Horner	O'Toole
Aubuchon	Evers	Hudson	Patronis
Bogdanoff	Flores	Hukill	Patterson
Bovo	Ford	Kelly	Plakon
Burgin	Fresen	Kreegel	Poppell
Cannon	Galvano	Legg	Precourt
Carroll	Glorioso	Llorente	Proctor
Coley	Gonzalez	Lopez-Cantera	Ray
Cretul	Grady	Mayfield	Reagan
Crisafulli	Grimsley	McBurney	Renuart
Culp	Hasner	McKeel	Rivera

Roberson, K.	Stargel	Van Zant	Wood
Schenck	Thompson, N.	Weatherford	Workman
Schultz	Tobia	Weinstein	
Snyder	Troutman	Williams, T.	

Rep. A. Williams moved that a late-filed amendment be allowed for consideration, which was not agreed to by the required two-thirds vote.

Representative Kiar offered the following:

(Amendment Bar Code: 820769)

**Amendment 4**—Remove line 980 and insert:  
based on their performance. The salary schedule shall be in addition to the base salary of the employee, including teachers and instructional personnel, which must be set at or higher than the national average of teachers' salaries.  
~~The district school board shall~~

Rep. Kiar moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 716

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thurston
Bullard	Jenne	Roberson, Y.	Waldman
Bush	Jones	Rogers	Williams, A.
Chestnut	Kiar	Rouson	
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—72

Adams	Evers	Legg	Reagan
Adkins	Flores	Llorente	Renuart
Ambler	Ford	Lopez-Cantera	Rivera
Anderson	Fresen	Mayfield	Roberson, K.
Aubuchon	Galvano	McBurney	Schenck
Bogdanoff	Glorioso	McKeel	Schultz
Bovo	Gonzalez	Murzin	Snyder
Burgin	Grady	Nehr	Stargel
Cannon	Grimsley	Nelson	Thompson, N.
Carroll	Hasner	O'Toole	Tobia
Coley	Hays	Patronis	Troutman
Cretul	Holder	Patterson	Van Zant
Crisafulli	Hooper	Plakon	Weatherford
Culp	Horner	Planas	Weinstein
Domino	Hudson	Poppell	Williams, T.
Dorworth	Hukill	Precourt	Wood
Drake	Kelly	Proctor	Workman
Eisnaugle	Kreegel	Ray	Zapata

Representative Jones offered the following:

(Amendment Bar Code: 718019)

**Amendment 5**—Remove line 1032 and insert:  
may use length of service or degrees held as a factor in

Rep. Jones moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 717].



The question recurred on adoption of **Amendment 5**, which failed of adoption. The vote was:

Session Vote Sequence: 718

Speaker Cretul in the Chair.

Yeas—48

Abruzzo	Culp	Long	Sands
Bembry	Fetterman	Pafford	Saunders
Bernard	Fitzgerald	Porth	Schwartz
Boyd	Garcia	Rader	Skidmore
Brandenburg	Gibbons	Randolph	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel	Vasilinda
Bullard	Homan	Robaina	Thurston
Bush	Jenne	Roberson, Y.	Waldman
Chestnut	Jones	Rogers	Weinstein
Clarke-Reed	Kiar	Rouson	Williams, A.
Cruz	Kriseman	Sachs	Zapata

Nays—68

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Galvano	Mayfield	Roberson, K.
Bogdanoff	Glorioso	McBurney	Schenck
Bovo	Gonzalez	McKeel	Schultz
Burgin	Grady	Murzin	Snyder
Cannon	Grimsley	Nehr	Stargel
Carroll	Hasner	Nelson	Thompson, N.
Coley	Hays	O'Toole	Tobia
Cretul	Holder	Patronis	Troutman
Crisafulli	Hooper	Patterson	Van Zant
Domino	Horner	Plakon	Weatherford
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

Representative Jones offered the following:

(Amendment Bar Code: 670365)

**Amendment 6 (with title amendment)**—Remove lines 1055-1112 and insert:

1012.335 Contracts with classroom teachers newly hired on or after July 1, 2010.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Annual contract" means a contract for a period of no longer than 1 school year which the district school board, in accordance with procedures developed by the school board, may choose to renew or not renew for a subsequent term without cause.

(b) "Classroom teacher" means a classroom teacher as defined in s. 1012.01(2)(a), excluding substitute teachers.

(c) "Performance contract" means a contract for a period of no longer than 1 school year which shall be renewed, in accordance with procedures developed by the district school board, for an additional 1 year term if the classroom teacher serving pursuant to such contract achieves an appraisal rating of effective or highly effective as defined in s. 1012.34.

(d) "Probationary contract" means a contract for a period of no longer than 1 school year during which a classroom teacher may be dismissed without cause, or may resign from the contractual position without breach of contract, in accordance with procedures developed by the district school board.

(2) EMPLOYMENT.—

(a) Beginning July 1, 2010, each person newly hired as a classroom teacher by a school district shall receive a probationary contract.

(b) Upon completion of the term of the probationary contract, a classroom teacher who is recommended for additional employment in accordance with procedures developed by the district school board, shall be awarded an annual contract if the teacher:

1. Holds a professional certificate as prescribed by s. 1012.56 and in the rules of the State Board of Education; and

2. Has been recommended by the district school superintendent for an annual contract and approved by the district school board.

(c) Upon completion of 5 years of employment, a classroom teacher shall be awarded a performance contract in accordance with procedures developed by the district school board if the teacher:

1. Holds a professional certificate as prescribed by s. 1012.56 and in the rules of the State Board of Education; and

2. Has been recommended by the district school superintendent for an additional year of employment and approved by the district school board.

(d) If the classroom teacher has received effective or highly effective appraisal ratings during the probationary and 3 annual contract terms, the teacher shall be awarded a performance contract in accordance with procedures developed by the district school board after 4 years of employment if the teacher:

1. Holds a professional certificate as prescribed by s. 1012.56 and in the rules of the State Board of Education; and

2. Has been recommended by the district school superintendent for an additional year of employment and approved by the district school board.

(e) A classroom teacher shall be awarded additional 1 year performance contracts in accordance with procedures developed by the district school board as long as he or she receives an effective or highly effective designation on his or her appraisal pursuant to s. 1012.34 in at least 2 of the 3 preceding years of employment.

(3) SUSPENSION OR DISMISSAL OF CLASSROOM TEACHERS ON ANNUAL OR PERFORMANCE CONTRACTS.—A classroom teacher who has an annual or performance contract may be suspended or dismissed at any time during the term of the contract, and a classroom teacher who has a performance contract may be returned to annual-contract status at the end of any school year in accordance with procedures developed by the district school board for just cause as provided in subsection (4). The district school board must notify a classroom teacher in writing of the charges that are made against the classroom teacher, and the district school board may suspend him or her with or without pay in accordance with procedures developed by the school board. The classroom teacher may contest the charges that are made in accordance with procedures adopted by the district school board and chapter 120. If the charges are not sustained, the classroom teacher shall be immediately reinstated and his or her back pay and benefits shall be paid.

(4) JUST CAUSE.—The State Board of Education shall adopt rules to define the term "just cause." Just cause shall include:

(a) Immorality.

(b) Misconduct in office.

(c) Incompetency.

(d) Gross insubordination.

(e) Willful neglect of duty.

(f) Being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime of moral turpitude.

(g) Unsatisfactory performance as demonstrated by a lack of student learning gains as specified in s. 1012.34.

#### TITLE AMENDMENT

Remove lines 119-120 and insert:

employment criteria for classroom teachers; providing grounds for dismissal or suspension; requiring

Rep. Jones moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 719].

The question recurred on the adoption of **Amendment 6**, which failed of adoption. The vote was:

Session Vote Sequence: 720

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thurston
Bullard	Jenne	Roberson, Y.	Waldman
Bush	Jones	Rogers	Williams, A.
Chestnut	Kiar	Rouson	
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—71

Adams	Evers	Legg	Renuart
Adkins	Flores	Llorente	Rivera
Ambler	Ford	Lopez-Cantera	Roberson, K.
Anderson	Fresen	Mayfield	Schenck
Aubuchon	Galvano	McBurney	Schultz
Bogdanoff	Glorioso	McKeel	Snyder
Bovo	Gonzalez	Murzin	Stargel
Burgin	Grady	Nehr	Thompson, N.
Cannon	Grimsley	Nelson	Tobia
Carroll	Hasner	O'Toole	Troutman
Coley	Hays	Patronis	Van Zant
Cretul	Holder	Patterson	Weatherford
Crisafulli	Hooper	Plakon	Weinstein
Culp	Horner	Poppell	Williams, T.
Domino	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	

Representative Kiar offered the following:

(Amendment Bar Code: 923041)

**Amendment 7**—Between lines 1171 and 1172, insert:

(i) The system must take into account factors outside of the teacher's control, including, but not limited to, natural disasters, socioeconomic factors, age, and home environment, to be used in evaluating the teacher and developing a performance pay plan.

Rep. Kiar moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 721].

The question recurred on the adoption of **Amendment 7**, which failed of adoption. The vote was:

Session Vote Sequence: 722

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Cruz	Kriseman	Rouson
Bembry	Fetterman	Long	Sachs
Bernard	Fitzgerald	Pafford	Sands
Boyd	Garcia	Porth	Saunders
Brandenburg	Gibbons	Rader	Schwartz
Braynon	Gibson	Randolph	Skidmore
Brisé	Heller	Reed	Soto
Bullard	Homan	Rehwinkel Vasilinda	Steinberg
Bush	Jenne	Robaina	Taylor
Chestnut	Jones	Roberson, Y.	Thurston
Clarke-Reed	Kiar	Rogers	Waldman

Williams, A.

Nays—71

Adams	Evers	Legg	Renuart
Adkins	Flores	Llorente	Rivera
Ambler	Ford	Lopez-Cantera	Roberson, K.
Anderson	Fresen	Mayfield	Schenck
Aubuchon	Galvano	McBurney	Schultz
Bogdanoff	Glorioso	McKeel	Snyder
Bovo	Gonzalez	Murzin	Stargel
Burgin	Grady	Nehr	Thompson, N.
Cannon	Grimsley	Nelson	Tobia
Carroll	Hasner	O'Toole	Troutman
Coley	Hays	Patronis	Van Zant
Cretul	Holder	Patterson	Weatherford
Crisafulli	Hooper	Plakon	Weinstein
Culp	Horner	Poppell	Williams, T.
Domino	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	

Representative Bullard offered the following:

(Amendment Bar Code: 160317)

**Amendment 8 (with title amendment)**—Remove lines 1592-1637 and insert:

Section 31. Paragraph (b) of subsection (2) of section 1012.585, Florida Statutes, is amended to read:

1012.585 Process for renewal of professional certificates.—

(2)

(b) A teacher with national certification from the National Board for Professional Teaching Standards is deemed to meet state renewal requirements ~~for the life of the teacher's national certificate~~ in the subject shown on the national certificate. A complete renewal application and fee shall be submitted. The Commissioner of Education shall notify teachers of the renewal application and fee requirements. This paragraph expires July 1, 2014.

#### TITLE AMENDMENT

Remove lines 153-159 and insert:  
certification; amending s. 1012.72, F.S.;

Rep. Bullard moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 723].

The question recurred on the adoption of **Amendment 8**, which failed of adoption. The vote was:

Session Vote Sequence: 724

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Cruz	Kriseman	Rouson
Bembry	Fetterman	Long	Sachs
Bernard	Fitzgerald	Pafford	Sands
Boyd	Garcia	Porth	Saunders
Brandenburg	Gibbons	Rader	Schwartz
Braynon	Gibson	Randolph	Skidmore
Brisé	Heller	Reed	Soto
Bullard	Homan	Rehwinkel Vasilinda	Steinberg
Bush	Jenne	Robaina	Taylor
Chestnut	Jones	Roberson, Y.	Thurston
Clarke-Reed	Kiar	Rogers	Waldman

Williams, A.

Nays—71

Adams	Evers	Legg	Renuart
Adkins	Flores	Llorente	Rivera
Ambler	Ford	Lopez-Cantera	Roberson, K.
Anderson	Fresen	Mayfield	Schenck
Aubuchon	Galvano	McBurney	Schultz
Bogdanoff	Glorioso	McKeel	Snyder
Bovo	Gonzalez	Murzin	Stargel
Burgin	Grady	Nehr	Thompson, N.
Cannon	Grimsley	Nelson	Tobia
Carroll	Hasner	O'Toole	Troutman
Coley	Hays	Patronis	Van Zant
Cretul	Holder	Patterson	Weatherford
Crisafulli	Hooper	Plakon	Weinstein
Culp	Horner	Poppell	Williams, T.
Domino	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	

Representative Bullard offered the following:

(Amendment Bar Code: 895821)

**Amendment 9**—Remove lines 1624-1637 and insert:

(6) Beginning with the 2014-2015 school year, the requirements for the renewal of a professional certificate shall include documentation of effective or highly effective performance as demonstrated under s. 1012.34 for at least 4 of the preceding 5 years before the renewal certificate is sought. The State Board of Education shall adopt rules to define the process for documenting effective performance under this subsection, including equivalent options for individuals who have not been evaluated under s. 1012.34. These rules shall include, but are not limited to, individuals who may be on approved maternity or medical leave, have been called to involuntary military service and who have been elected to a constitutional office. An individual's certificate shall expire if the individual is not able to demonstrate effective performance as required under this subsection and the rules of the state board. The individual may apply to reinstate his or her professional certificate under subsection (5).

Rep. Bullard moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 725].

The question recurred on the adoption of **Amendment 9**, which failed of adoption. The vote was:

Session Vote Sequence: 726

Speaker Cretul in the Chair.

Yeas—47

Abruzzo	Cruz	Kriseman	Sachs
Aubuchon	Drake	Long	Sands
Bembry	Fetterman	Pafford	Saunders
Bernard	Fitzgerald	Porth	Schwartz
Boyd	Garcia	Rader	Skidmore
Brandenburg	Gibbons	Randolph	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel Vasilinda	Taylor
Bullard	Homan	Robaina	Thurston
Bush	Jenne	Roberson, Y.	Waldman
Chestnut	Jones	Rogers	Williams, A.
Clarke-Reed	Kiar	Rouson	

Nays—69

Adams	Adkins	Ambler	Anderson
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Bogdanoff	Glorioso	McBurney	Schenck
Bovo	Gonzalez	McKeel	Schultz
Burgin	Grady	Murzin	Snyder
Cannon	Grimsley	Nehr	Stargel
Carroll	Hasner	Nelson	Thompson, N.
Coley	Hays	O'Toole	Tobia
Cretul	Holder	Patronis	Troutman
Crisafulli	Hooper	Patterson	Van Zant
Culp	Homer	Plakon	Weatherford
Domino	Hudson	Poppell	Weinstein
Dorworth	Hukill	Precourt	Williams, T.
Eisnaugle	Kelly	Proctor	Wood
Evers	Kreegel	Ray	Workman
Flores	Legg	Reagan	Zapata
Ford	Llorente	Renuart	
Fresen	Lopez-Cantera	Rivera	
Galvano	Mayfield	Roberson, K.	

Votes after roll call:

Yeas to Nays—Aubuchon

Representative Kiar offered the following:

(Amendment Bar Code: 194243)

**Amendment 10**—Remove line 1637 and insert:  
subsection (5). Nothing in this subsection shall be construed to impede certificate renewal for persons who are called into or volunteer for military service pursuant to subsection (4).

Rep. Kiar moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 727].

The question recurred on the adoption of **Amendment 10**, which failed of adoption. The vote was:

Session Vote Sequence: 728

Speaker Cretul in the Chair.

Yeas—47

Abruzzo	Culp	Kriseman	Sachs
Bembry	Drake	Long	Sands
Bernard	Fetterman	Pafford	Saunders
Boyd	Fitzgerald	Porth	Schwartz
Brandenburg	Garcia	Rader	Skidmore
Braynon	Gibbons	Randolph	Soto
Brisé	Gibson	Reed	Steinberg
Bullard	Heller	Rehwinkel Vasilinda	Taylor
Bush	Homan	Robaina	Thurston
Chestnut	Jenne	Roberson, Y.	Waldman
Clarke-Reed	Jones	Rogers	Williams, A.
Cruz	Kiar	Rouson	

Nays—69

Adams	Ford	Lopez-Cantera	Roberson, K.
Adkins	Fresen	Mayfield	Schenck
Ambler	Galvano	McBurney	Schultz
Anderson	Glorioso	McKeel	Snyder
Aubuchon	Gonzalez	Murzin	Stargel
Bogdanoff	Grady	Nehr	Thompson, N.
Bovo	Grimsley	Nelson	Tobia
Burgin	Hasner	O'Toole	Troutman
Cannon	Hays	Patronis	Van Zant
Carroll	Holder	Patterson	Weatherford
Coley	Hooper	Plakon	Weinstein
Cretul	Horner	Poppell	Williams, T.
Crisafulli	Hudson	Precourt	Wood
Domino	Hukill	Proctor	Workman
Dorworth	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	
Evers	Legg	Renuart	
Flores	Llorente	Rivera	

Representative Kiar offered the following:

(Amendment Bar Code: 932925)

**Amendment 11**—Remove line 1637 and insert:  
subsection (5). Nothing in this subsection shall be construed to impede certificate renewal for persons who are on maternity leave.

Rep. Kiar moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 729].

The question recurred on the adoption of **Amendment 11**, which failed of adoption. The vote was:

Session Vote Sequence: 730

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thurston
Bullard	Jenne	Roberson, Y.	Waldman
Bush	Jones	Rogers	Williams, A.
Chestnut	Kiar	Rouson	
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—71

Adams	Evers	Legg	Renuart
Adkins	Flores	Llorente	Rivera
Ambler	Ford	Lopez-Cantera	Roberson, K.
Anderson	Fresen	Mayfield	Schenck
Aubuchon	Galvano	McBurney	Schultz
Bogdanoff	Glorioso	McKeel	Snyder
Bovo	Gonzalez	Murzin	Stargel
Burgin	Grady	Nehr	Thompson, N.
Cannon	Grimsley	Nelson	Tobia
Carroll	Hasner	O'Toole	Troutman
Coley	Hays	Patronis	Van Zant
Cretul	Holder	Patterson	Weatherford
Crisafulli	Hooper	Plakon	Weinstein
Culp	Horner	Poppell	Williams, T.
Domino	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	

Representative Kiar offered the following:

(Amendment Bar Code: 443249)

**Amendment 12 (with title amendment)**—Remove lines 1638-1685

#### TITLE AMENDMENT

Remove lines 159-163 and insert:  
under s. 1012.34, F.S.;

Rep. Kiar moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 731].

The question recurred on the adoption of **Amendment 12**, which failed of adoption. The vote was:

Session Vote Sequence: 732

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Culp	Pafford	Saunders
Bembry	Fetterman	Porth	Schwartz
Bernard	Fitzgerald	Rader	Skidmore
Boyd	Garcia	Randolph	Soto
Brandenburg	Gibbons	Reed	Steinberg
Braynon	Gibson	Rehwinkel Vasilinda	Taylor
Brisé	Heller	Robaina	Thurston
Bullard	Jenne	Roberson, Y.	Waldman
Bush	Jones	Rogers	Weinstein
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—69

Adams	Flores	Llorente	Rivera
Adkins	Ford	Lopez-Cantera	Roberson, K.
Ambler	Fresen	Mayfield	Schenck
Anderson	Galvano	McBurney	Schultz
Aubuchon	Glorioso	McKeel	Snyder
Bogdanoff	Gonzalez	Murzin	Stargel
Bovo	Grady	Nehr	Thompson, N.
Burgin	Grimsley	Nelson	Tobia
Cannon	Hasner	O'Toole	Troutman
Carroll	Hays	Patronis	Van Zant
Coley	Holder	Patterson	Weatherford
Cretul	Hooper	Plakon	Williams, T.
Crisafulli	Horner	Poppell	Wood
Domino	Hudson	Precourt	Workman
Dorworth	Hukill	Proctor	Zapata
Drake	Kelly	Ray	
Eisnaugle	Kreegel	Reagan	
Evers	Legg	Renuart	

Representative Bullard offered the following:

(Amendment Bar Code: 613465)

**Amendment 13 (with title amendment)**—Between lines 1810 and 1811, insert:

Section 39. Paragraph (e) is added to subsection (8) of section 220.187, Florida Statutes, to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(e)1. Beginning with the 2014-2015 school year and thereafter, adopt a salary schedule for instructional personnel and school-based administrators which compensates instructional personnel and school-based administrators based on their performance. Salary adjustments for instructional personnel and school-based administrators must be based only on performance demonstrated under s. 1012.34 or a nationally norm-referenced test identified by the Department of Education. An eligible private school may not use length of service or degrees held by instructional personnel or school-based administrators as a factor in setting the salary schedule.

2. Adopt a performance appraisal system that compensates employees based on their performance. An eligible private school, in determining the salary adjustments for instructional personnel and school based-based administrators, must base each employee's adjustment only on performance demonstrated under s. 1012.34 or a nationally norm-referenced test identified by the Department of Education.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the Department of Education.

#### TITLE AMENDMENT

Remove line 181 and insert:  
provision of the act; amending s. 220.187, F.S., relating to the Florida Tax Credit Scholarship Program, to conform to changes made by the act; providing effective dates.

Rep. Bullard moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 733].

The question recurred on the adoption of **Amendment 13**, which failed of adoption. The vote was:

Session Vote Sequence: 734

Speaker Cretul in the Chair.

Yeas—38

Bembry	Fitzgerald	Rader	Schwartz
Brandenburg	Garcia	Randolph	Skidmore
Braynon	Gibbons	Rehwinkel	Soto
Brisé	Gibson	Robaina	Steinberg
Bullard	Homan	Roberson, Y.	Taylor
Bush	Jenne	Rogers	Thurston
Chestnut	Jones	Rouson	Waldman
Clarke-Reed	Kriseman	Sachs	Williams, A.
Cruz	Pafford	Sands	
Fetterman	Porth	Saunders	

Nays—77

Abruzzo	Eisnaugle	Kreegel	Renuart
Adams	Evers	Legg	Rivera
Adkins	Flores	Llorente	Roberson, K.
Ambler	Ford	Long	Schenck
Anderson	Fresen	Lopez-Cantera	Schultz
Aubuchon	Galvano	Mayfield	Snyder
Bernard	Glorioso	McBurney	Stargel
Bogdanoff	Gonzalez	McKeel	Thompson, N.
Bovo	Grady	Murzin	Tobia
Boyd	Grimsley	Nehr	Troutman
Burgin	Hasner	Nelson	Van Zant
Cannon	Hays	O'Toole	Weatherford
Carroll	Heller	Patronis	Weinstein
Coley	Holder	Patterson	Williams, T.
Cretul	Hooper	Plakon	Wood
Crisafulli	Horne	Poppell	Workman
Culp	Hudson	Precourt	Zapata
Domino	Hukill	Proctor	
Dorworth	Kelly	Ray	
Drake	Kiar	Reagan	

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

#### Motion to Adjourn

Rep. Cannon moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 3:15 p.m., Thursday, April 8, 2010, or upon call of the Chair. The motion was agreed to.

#### Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Grimsley:

Yeas—April 6: 697

Rep. Zapata:

Yeas—March 23: 605

#### Cosponsors

CS/HM 191—Garcia

HB 245—Boyd

CS/CS/HB 303—Burgin, Garcia, Randolph, T. Williams

CS/HB 311—Burgin

HJR 495—Ambler

HB 511—Burgin

HB 525—Long

HB 545—Kreegel, Nehr, Randolph, T. Williams

CS/CS/HB 665—Nehr, T. Williams

CS/HB 795—Workman

CS/HB 911—Burgin

HB 923—Porth

CS/CS/HB 983—Burgin

CS/HB 1029—Ambler

CS/CS/HB 1143—Burgin

HB 1283—Garcia, Randolph

#### Withdrawals as Cosponsor

CS/CS/HB 7053—Van Zant

#### Introduction and Reference

By Representative Proctor—

**HR 9063**—A resolution recognizing April 2010 as "Sexual Assault Awareness Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

#### First Reading of Council and Committee Substitutes by Publication

By the Health Care Appropriations Committee; and Military & Local Affairs Policy Committee; Representative Gonzalez—

**CS/CS/HB 197**—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; specifying laws and rules to be enforced by the Department of Health; requiring the department to establish uniform standards for permitting and operation of lodging parks, recreational vehicle parks and camps, and mobile home parks; providing application;

providing construction; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for review and approval for construction of or changes to parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; revising fees charged to operators of certain parks or camps; providing for the assessment of late fees; authorizing persons to request from the department a review of plans for a proposed park or camp; requiring certain plans to be submitted to the department for review and approval; requiring the department to establish a fee for a temporary operating permit for certain events; providing for calculation of the fee; providing exemptions; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home or recreational vehicle park or camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park or camp commits a misdemeanor of the second degree; providing penalties; amending s. 513.055, F.S.; conforming permit terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home, lodging, or recreational vehicle park or camp without an operating permit commits a misdemeanor of the second degree; providing penalties; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Regulation Policy Committee; Representative Tobia—

**CS/HB 509**—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; prohibiting a local government from restricting access to or use of public facilities or infrastructure for the collection of blood or blood components from volunteer donors based on certain criteria; prohibiting blood establishments from determining the price of blood or blood components based on certain criteria; amending s. 499.003, F.S.; revising the definition of the term "wholesale distribution" to exclude certain drugs and products distributed by blood establishments; amending s. 499.01, F.S.; excluding certain blood establishments from the requirement to obtain a prescription drug manufacturer permit; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; and Civil Justice & Courts Policy Committee; Representatives Horner, Bembry, Brisé, Jenne, Mayfield, and Zapata—

**CS/CS/HB 513**—A bill to be entitled An act relating to mobile home park tenancies; amending s. 420.0003, F.S.; directing the Florida Housing Finance Corporation to provide technical assistance to mobile home owners in purchasing their mobile home park; amending s. 420.502, F.S.; providing legislative findings; amending s. 723.061, F.S.; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park; revising application; requiring certain notice to the homeowners' association; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Government Operations Appropriations Committee; Representatives A. Williams, Carroll, Abruzzo, Bernard, Braynon, Bullard, Chestnut, Ford, Jones, Kriseman, Nehr, Pafford, Rader, Reed, Rehwinkel Vasilinda, Rogers, Rouson, Soto, Steinberg, and Zapata—

**CS/HB 523**—A bill to be entitled An act relating to the Florida Civil Rights Hall of Fame; creating s. 760.065, F.S.; providing legislative intent; providing for the establishment and location of the hall of fame; providing for the selection of hall-of-fame members by the Governor upon recommendations by the Florida Commission on Human Relations; providing criteria for such recommendations; authorizing the commission to set time periods for the nomination and selection of hall-of-fame members; assigning responsibility for certain hall-of-fame costs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; Representatives Precourt, Brandenburg, Ford, Fresen, Hooper, Horner, Kreegel, Mayfield, Murzin, Plakon, Planas, and Van Zant—

**CS/HB 701**—A bill to be entitled An act relating to design professionals; creating s. 558.0035, F.S.; limiting the liability of architects, interior designers, landscape architects, engineers, and surveyors for construction defects resulting from the performance of a contract; prohibiting such contract from limiting the liability of a design professional under certain circumstances; specifying that provisions do not apply to certain claims; amending ss. 471.023, 472.021, 481.219, and 481.319, F.S.; conforming provisions to changes made by the act; providing that the act does not apply to contracts or agreements entered into, or professional services performed, before a specified date; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; Representative Carroll—

**CS/HB 731**—A bill to be entitled An act relating to the Uniform Commercial Code; revising and providing provisions of the Uniform Commercial Code relating to electronic documents of title, warehouse receipts, bills of lading, and other documents of title to conform to the revised Article 7 of the Uniform Commercial Code as prepared by the National Conference of Commissioners on Uniform State Laws; amending ss. 668.50 and 671.304, F.S.; correcting cross-references; amending ss. 671.201, 672.103, 672.104, 674.104, 677.102, and 679.1021, F.S.; revising and providing definitions; revising provisions pertaining to definitions applicable to certain provisions of the code, to conform cross-references to revisions made by this act; amending s. 672.310, F.S.; revising time when certain delivery payments are due; amending ss. 559.9232, 672.323, 672.401, 672.503, 672.505, 672.506, 672.509, 672.605, 672.705, 674.2101, 677.201, 677.202, 677.203, 677.205, 677.206, 677.207, 677.208, 677.301, 677.302, 677.304, 677.305, 677.401, 677.402, 677.403, 677.404, 677.502, 677.503, 677.505, 677.506, 677.507, 677.508, 677.509, 677.602, 677.603, 679.2031, 679.2071, 679.3011, 679.3101, 679.3121, 679.3131, 679.3141, 679.3171, 679.338, 680.1031, 680.514, and 680.526, F.S.; revising provisions to conform to changes made by this act; making editorial changes; amending s. 677.103, F.S.; revising and providing application in relation of chapter to treaty, statute, classification, or regulation; amending s. 677.104, F.S.; providing when certain documents of title are nonnegotiable; amending s. 677.105, F.S.; authorizing an issuer of the electronic document to issue a tangible document of title as a substitute for the electronic document under certain conditions; authorizing an issuer of a tangible document to issue an electronic document of title as a substitute for the tangible document under certain conditions; creating s. 677.106, F.S.; providing when certain persons have control of an electronic document of title; amending s. 677.204, F.S.; revising liability of certain damages; authorizing a warehouse receipt or storage agreement to provide certain requirements; amending s. 677.209, F.S.; revising conditions for a warehouse to establish a lien against a bailor; providing when and against whom the lien is effective; amending s. 677.210,

F.S.; revising provisions relating to the enforcement of warehouse's liens; amending s. 677.303, F.S.; prohibiting liability for certain carriers; amending s. 677.307, F.S.; revising conditions under which a carrier has a lien on goods covered by a bill of lading; amending s. 677.308, F.S.; revising provisions relating to the enforcement of a carrier's lien; amending s. 677.309, F.S.; revising provisions relating to the contractual limitation of a carrier's liability; amending s. 677.501, F.S.; providing requirements for negotiable tangible documents of title and negotiable electronic documents of title; amending s. 677.504, F.S.; providing condition under which the rights of the transferee may be defeated; amending s. 677.601, F.S.; revising provisions relating to lost, stolen, or destroyed documents of title; amending s. 678.1031, F.S.; providing that certain documents of title are not financial assets; amending s. 679.2081, F.S.; providing requirements for secured parties having control of an electronic document; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Policy Council; and PreK-12 Policy Committee; Representatives N. Thompson, Jones, Kreegel, Renuart, and Van Zant—

**CS/CS/HB 747**—A bill to be entitled An act relating to the treatment of diabetes; amending s. 385.203, F.S.; revising the Diabetes Advisory Council membership; amending s. 1002.20, F.S.; prohibiting school districts from restricting the assignment of diabetic students to certain schools for certain reasons; authorizing a student to manage diabetes while at school, at school-sponsored activities, or in transit to or from school or school-sponsored activities with written authorization from the parent and physician; requiring the State Board of Education to adopt rules; providing for indemnification of specified employees, volunteers, and entities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; and Public Safety & Domestic Security Policy Committee; Representative Holder—

**CS/CS/HB 1005**—A bill to be entitled An act relating to corrections; amending s. 384.34, F.S.; revising criminal penalties pertaining to sexually transmissible diseases; amending s. 775.0877, F.S.; removing a provision authorizing a court to require an offender convicted of criminal transmission of HIV to serve a term of criminal quarantine community control; amending s. 796.08, F.S., relating to criminal transmission of HIV; conforming a cross-reference; creating s. 800.09, F.S.; defining terms; providing that a person who is detained in a state or private correctional facility may not commit lewd or lascivious exhibition in the presence of an employee who the detainee knows or reasonably should know is an employee; providing criminal penalties; amending s. 921.187, F.S.; removing a reference to criminal quarantine community control to conform to changes made by the act; amending s. 940.061, F.S.; requiring that the Department of Corrections send to the Parole Commission by electronic means a monthly list of the names of inmates released from incarceration and offenders terminated from supervision who may be eligible for restoration of civil rights; repealing s. 944.293, F.S., relating to initiation of the restoration of an inmate's civil rights; amending s. 944.35, F.S.; including employees of private correctional facilities within a statute prohibiting employees from committing certain sexual misconduct with inmates; providing criminal penalties; amending s. 944.605, F.S.; authorizing the Department of Corrections to electronically submit certain information to the sheriff of the county in which the inmate plans to reside and to the chief of police of the municipality where the inmate plans to reside; amending ss. 944.804 and 944.8041, F.S.; requiring the department to establish and operate certain geriatric facilities or dorms at prison institutions; removing provisions requiring the operation of a specified facility; amending s. 945.41, F.S.; deleting a prohibition against the placement of youthful offenders at certain institutions for mental health treatment; amending s. 945.42, F.S.; deleting references to an inmate's refusal of voluntary placement for purposes of determining the inmate's need for care and treatment; amending s. 945.43, F.S.; clarifying that an inmate is placed in, rather than admitted to, a mental health treatment facility; requiring that a petition for placement be filed in the county in which an inmate is located;

authorizing the department to transport the inmate to the location of the hearing on such a placement under certain circumstances; amending s. 945.46, F.S.; providing procedures for the transport of inmates who are mentally ill and who are scheduled to be released from confinement; creating s. 946.42, F.S.; authorizing the department to use inmate labor on private property under certain circumstances; defining terms; repealing s. 948.001(3), F.S., relating to the definition of the term "criminal quarantine community control," to conform to changes made by the act; amending s. 948.03, F.S.; providing additional conditions of probation to be applied to a defendant; deleting certain requirements for possession of a weapon other than a firearm; requiring that a digitized photograph of an offender be part of the offender's record; authorizing the department to display such photographs on its website for a specified period; providing exceptions; amending s. 948.09, F.S.; conforming a cross-reference; amending ss. 948.101 and 948.11, F.S.; deleting provisions related to criminal quarantine community control; amending s. 951.26, F.S.; authorizing each local public safety coordinating council to develop a comprehensive local reentry plan for offenders reentering the community; providing plan requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; and Civil Justice & Courts Policy Committee; Representatives Nehr and Rader—

**CS/CS/HB 1107**—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; increasing the statutory limits on liability for tort claims against the state and its agencies and subdivisions; providing for application of the act to claims arising on or after the effective date; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; and Civil Justice & Courts Policy Committee; Representative Hukill—

**CS/CS/HB 1237**—A bill to be entitled An act relating to probate procedures; amending s. 655.934, F.S.; updating terminology relating to a durable power of attorney; amending s. 655.935, F.S.; imposing additional duties on the lessor of a safe-deposit box relating to the contents of the box when the lessee has died; authorizing the lessor to charge fees for performing such duties; amending s. 731.110, F.S.; revising requirements relating to filing a caveat; providing that a caveat may be filed before or after a person's death; providing for the expiration of the caveat; amending s. 731.201, F.S.; revising the definitions of "formal notice" and "informal notice"; amending s. 731.301, F.S.; revising provisions relating to notice; amending s. 732.2125, F.S.; revising a provision relating to the right of election; amending s. 732.401, F.S.; providing that a decedent's spouse may elect to take an interest in a homestead as a tenant in common rather than a life estate; providing procedures and forms for filing notice of such election; providing that such election is irrevocable; providing for the allocation of expenses relating to the homestead; specifying that the interests of the decedent's descendants in the homestead may not be divested if the spouse's interest is disclaimed; amending s. 732.4015, F.S.; providing that if a spouse's interest in a homestead has been disclaimed, the disclaimed interest passes in accordance with ch. 739, F.S.; creating s. 732.4017, F.S.; providing for the inter vivos transfer of homestead property; providing limitations; amending s. 732.608, F.S.; revising provisions relating to which laws apply when determining intestate succession in certain circumstances; creating s. 732.805, F.S.; denying certain rights or benefits to a surviving spouse who procured a marriage by fraud, duress, or undue influence; providing procedures for challenging a surviving spouse; providing for the award of costs and fees; providing a limitation of liability relating to distributions made without notice of a pending claim; providing for means of notice; providing a time limitation on bringing such actions; creating s. 733.1051, F.S.; authorizing a court to construe the terms of certain wills for certain purposes under certain circumstances; providing definitions; providing criteria for court construction of a will; providing for nonapplication to certain dispositions; authorizing a

personal representative to take certain actions without court order pending a determination of estate distribution; limiting personal representative liability; preserving certain rights to construe a will; providing for retroactive operation; amending s. 733.107, F.S.; providing that, in a will contest, certain affidavits and oaths are prima facie evidence relating to execution and attestation of a will; amending s. 733.2123, F.S.; deleting the requirement for attaching a copy of a will to a notice of a petition for administration; amending s. 733.608, F.S.; specifying the manner for serving notice of the personal representative's lien for expenditures and obligations incurred; amending s. 735.203, F.S.; revising provisions relating to providing notice for a petition for summary administration; amending s. 736.1102, F.S.; clarifying provisions relating to which laws apply when determining intestate succession in certain circumstances; amending s. 744.444, F.S.; conforming provisions to changes made by the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

**CS/HB 509**—Referred to the Health & Family Services Policy Council.

**CS/CS/HB 1445**—Referred to the General Government Policy Council.

**CS/HB 7183**—Referred to the Calendar of the House.

## House Resolutions Adopted by Publication

At the request of Rep. Hays—

**HR 9061**—A resolution recognizing April 7, 2010, as "Dentists' Day on the Hill."

WHEREAS, the Florida Dental Association, a statewide professional membership organization representing nearly 7,000 licensed dentists in this state, was established in 1884 to advance the public health through professional education and public advocacy while promoting high practice standards and improving the professional practice environment, and

WHEREAS, studies suggest that good oral health may help prevent heart disease, arterial blockage, stroke, diabetes, preterm delivery, low-birth weight babies, and bacterial pneumonia, and

WHEREAS, the Florida Dental Association is promoting "Dentistry: Gateway to Good Health" to emphasize that oral health is linked to a person's overall health, and

WHEREAS, the Florida Dental Association has developed "Mouth Wise," a dental health education kit for elementary students designed to give children a basic understanding of their teeth, mouths, and gums, the importance of preventive dentistry, and the relationship of preventive dentistry to overall health care, and

WHEREAS, the Florida Dental Association has also developed a "Mouth Wise" dental health education kit for middle school students to teach the importance of dental health care, focusing on nutrition and soda consumption, the use of mouth guards and smokeless tobacco, and oral piercing, and

WHEREAS, in 1996, the Florida Dental Association joined efforts with the Department of Health's Volunteer Health Care Provider Program to create "Project: Dentists' Care," a dental-access program that, in 2009, provided care for underserved adults and children statewide for an estimated \$5.9 million in donated services, and

WHEREAS, in February 2010, dentists in Florida volunteered dental services for the annual "Give Kids A Smile" event, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That April 7, 2010, is recognized as "Dentists' Day on the Hill."

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Florida Dental Association as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

## Reports of Standing Councils and Committees

### Received April 7:

The Education Policy Council reported the following favorably:  
CS/HB 55

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 143

The above committee substitute was placed on the Calendar of the House.

The Health Care Appropriations Committee reported the following favorably:  
CS/HB 197 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 197 was laid on the table.

The Education Policy Council reported the following favorably:  
CS/HB 341

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:  
HB 449 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 449 was laid on the table.

The Health Care Regulation Policy Committee reported the following favorably:  
HB 509 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 509 was laid on the table.

The Criminal & Civil Justice Policy Council reported the following favorably:  
CS/HB 513 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 513 was laid on the table.

The Government Operations Appropriations Committee reported the following favorably:  
HB 523 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 523 was laid on the table.



The Education Policy Council reported the following favorably:  
CS/HB 603

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

HB 701 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 701 was laid on the table.

The Criminal & Civil Justice Policy Council reported the following favorably:

HB 731 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 731 was laid on the table.

The Education Policy Council reported the following favorably:  
CS/HB 747 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 747 was laid on the table.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 1005 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1005 was laid on the table.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 1107 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1107 was laid on the table.

The Education Policy Council reported the following favorably:  
CS/HB 1233

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 1237 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1237 was laid on the table.

The Education Policy Council reported the following favorably:  
CS/CS/HB 1337

The above committee substitute was placed on the Calendar of the House.

The Education Policy Council reported the following favorably:  
CS/HB 1363

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 1411 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1411 was laid on the table.

The Education Policy Council reported the following favorably:  
CS/HB 1505

The above committee substitute was placed on the Calendar of the House.

### Enrolling Reports

CS/HB 437 and HB 689 have been enrolled, signed by the required constitutional officers, and presented to the Governor on April 7, 2010.

*Robert L. "Bob" Ward, Clerk*

### Communications

The Governor advised that he had filed in the Office of the Secretary of State the following bills which he approved:

April 6—CS/HB 315 and CS/CS/HB 29

*The Honorable Kurt S. Browning*  
*Secretary of State*

April 6, 2010

*Dear Secretary Browning:*

Enclosed for filing are acts that originated in the House during the 2010 Session, which I have approved today:

CS HB 315 Adoption  
CS/CS HB 29 Road and Bridge Designations

Sincerely,  
*CHARLIE CRIST*  
Governor

The Governor advised that he had filed in the Office of the Secretary of State the following bill which he vetoed:

April 6—CS/CS/HB 1207

*The Honorable Kurt S. Browning*  
*Secretary of State*

April 6, 2010

*Dear Secretary Browning:*

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for House Bill 1207, enacted during the 112th Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2010 and entitled:

An act relating to Campaign Financing. . .

House Bill 1207 authorizes the creation of Affiliated Party Committees or leadership funds, and provides for the regulation of electioneering communications that pertain to a candidate for elective office.

Twenty-one years ago, the Florida Legislature acted to bring the fundraising activities of its members into the sunshine by eliminating the use of "leadership funds." These accounts allowed legislative leaders to solicit and accept campaign contributions during the legislative session from lobbyists and interest groups outside of the public view.

While I commend the sponsors of this bill for their effort to bring more transparency and accountability in their attempt to revive leadership funds, I reject the notion that Affiliated Party Committees or leadership funds will benefit our state.

Despite the troubling aspects of this bill, I am pleased that the legislation requires electioneering communication organizations to operate with transparency. Floridians would be empowered through disclosure to determine who is actually trying to influence their vote. I urge the Legislature to use the time remaining in the Legislative Session to send me new legislation addressing this important issue.

For these reasons, I hereby withhold my signature form Committee Substitute for Committee Substitute for House Bill 1207, and do hereby veto the same.

Sincerely,  
*CHARLIE CRIST*  
Governor

#### **Excused**

Rep. Frishe; Rep. Planas until 5:00 p.m. and after 8:25 p.m.; Rep. G. Thompson; Rep. Sands after 2:00 p.m and until 3:59 p.m.

#### **Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 9:58 p.m., to reconvene at 3:15 p.m., Thursday, April 8, 2010, or upon call of the Chair.

## CHAMBER ACTIONS ON BILLS

Wednesday, April 7, 2010

SJR	2 — Substituted for HJR 7039; Read 2nd time; Amendment 272755 Failed; Amendment 279007 Failed	HB	245 — Read 2nd time; Amendment 085005 adopted
CS for CS for SB	4 — Substituted for CS/CS/HB 7053; Read 2nd time; Amendment 494087 Failed; Amendment 062895 Failed; Amendment 445691 Failed	CS/HB	1009 — Substituted CS/SB 2126; Laid on Table, refer to CS/SB 2126
CS for CS for SB	6 — Substituted for CS/HB 7189; Read 2nd time; Amendment 904383 Failed; Amendment 903395 Failed; Amendment 820769 Failed; Amendment 718019 Failed; Amendment 670365 Failed; Amendment 923041 Failed; Amendment 160317 Failed; Amendment 895821 Failed; Amendment 194243 Failed; Amendment 932925 Failed; Amendment 443249 Failed; Amendment 613465 Failed	CS for SB	2126 — Substituted for CS/HB 1009; Read 2nd time
		HJR	7039 — Substituted SJR 2; Laid on Table, refer to SJR 2
		CS/CS/HB	7053 — Substituted CS/CS/SB 4; Laid on Table, refer to CS/CS/SB 4
		CS/HB	7189 — Substituted CS/CS/SB 6; Laid on Table, refer to CS/CS/SB 6

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